

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) 2:13-CR-446-JCM-(GWF)
)
 DAVID REITER,)
)
 Defendant.)

SECOND AMENDED FINAL ORDER OF FORFEITURE

On July 15, 2014, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(1) and (b)(1) with Title 28, United States Code, Section 2461(c); and Title 31, United States Code, Section 5317(c)(1)(B) based upon the plea of guilty by defendant DAVID REITER to the criminal offenses, striking the criminal forfeiture money judgments set forth in the Forfeiture Allegations of the Indictment and forfeiting the specific property set forth in the Forfeiture Allegations of the Indictment that was shown by the United States to have the requisite nexus to the offenses to which defendant DAVID REITER pled guilty. Indictment, ECF No. 1; Change of Plea, ECF No. 23; Preliminary Order of Forfeiture, ECF No. 24.

On January 16, 2015, the United States of America filed a motion to substitute and to forfeit property of David Reiter. Motion to Substitute and to Forfeit, ECF No. 62.

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1 On February 3, 2015, the Court entered an order granting the motion to substitute and to
2 forfeit property of David Reiter. Substitution and Forfeiture Order, ECF No. 63.

3 On February 6, 2015, the United States of America filed a notice of filing service of process
4 regarding the \$17,000 in United States Currency – Take Into Custody. Notice of Filing Service of
5 Process, ECF No. 64.

6 On March 11, 2015, the United States of America filed a Notice of Non Pursuit of Substitute
7 Assets regarding two safe deposit boxes at 24/7 Private Vaults. Notice of Non Pursuit, ECF No. 65.

8 On March 13, 2015 the United States of America filed a Receipt of Copy evidencing Rachel
9 M. Korenblat, counsel for David Reiter's receipt of the United States of America's motion to
10 substitute and to forfeit property of David Reiter. Receipt of Copy, ECF No. 66.

11 This Court finds the United States of America published the notice of forfeiture in accordance
12 with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively
13 from March 12, 2015, through April 10, 2015, notifying all potential third parties of their right to
14 petition the Court. Notice of Filing Proof of Publication, ECF No. 67.

15 This Court finds no petition was filed herein by or on behalf of any person or entity and the
16 time for filing such petitions and claims has expired.

17 This Court finds no petitions are pending with regard to the assets named herein and the time
18 for presenting such petitions has expired.

19 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
20 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
21 United States of America and that the United States recover from DAVID REITER the criminal
22 forfeiture money judgment in the amounts of \$51,125 in United States Currency and \$234,179 in
23 United States Currency, pursuant to to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
24 32.2(c)(2); Title 18, United States Code, Section 981(a)(1)(C) with Title 28, United States Code,
25 Section 2461(c); Title 18, United States Code, Section 982(a)(1) and (b) with Title 28, United States
26 Code, Section 2461(c); Title 31, United States Code, Section 5317(c)(1)(B); and Title 21, United

1 States Code, Section 853(n)(7) and (p) and the criminal forfeiture money judgment shall be collected
2 and the property and the collected amount shall be disposed of according to law:

- 3 1. \$5,000 in United States Currency;
- 4 2. Thirty thousand (30,000) shares of Waxless Surfboard Systems, Inc.;
- 5 3. \$1,424 in United States Currency;
- 6 4. \$17,000 was applied towards this money judgment - an *in personam* criminal
7 forfeiture money judgment in the amount of \$51,125, leaving a remaining money
8 judgment of \$34,125; and
- 9 5. an *in personam* criminal forfeiture money judgment in the amount of \$234,179.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
11 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any
12 income derived as a result of the United States of America's management of any property forfeited
13 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREEED that the in property listed
15 above will not be applied toward the payment of the money judgments except as stated above.

16 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
17 certified copies to the United States Attorney's Office.

18 DATED May 18, 2015.

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21 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I, Mary Stolz, certify that the following individual was served with a copy of the Second Amended Final Order of Forfeiture on May 14, 2015 by the below identified method of service:

CM/ECF

Rachel M. Korenblat
Federal Public Defender
411 E. Bonneville Ave., Ste. 250
Las Vegas, NV 89101
Email: rachel_korenblat@fd.org
Counsel for David Reiter

/s/ Mary Stolz
MARY STOLZ
Forfeiture Support Associates Paralegal